



**CITY OF ROCK ISLAND  
CITY COUNCIL STUDY SESSION  
February 10, 2020 - 5:30 p.m.**

**Location:  
City Council Chambers, City Hall, 3rd Floor  
1528 Third Avenue, Rock Island, IL**

[Watch Live](#)

### **DRAFT AMENDMENT TO CANNABIS ORDINANCE**

Planning and Redevelopment Administrator Miles Brainard will discuss a proposed amendment to the Cannabis Ordinance.

Documents:

[CANNABIS ORDINANCE WITH CLUB, LOUNGE, CAFE.PDF](#)

### **UPDATE ON ZONING CODE**

Documents:

[ZONING CODE UPDATE.PDF](#)

*This agenda may be obtained in accessible formats by qualified persons with a disability by making appropriate arrangements from 8:00 am to 5:00 pm, Monday through Friday, by contacting the City Clerk's office at (309) 732-2010 or visiting in person at: 1528 Third Avenue, Rock Island, IL 61201.*

## ARTICLE XX: RECREATIONAL CANNABIS BUSINESSES

### Sec. 11-155 Purpose

It is the intent and purpose of this Article to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring within the corporate limits of the City of Rock Island. Such facilities shall comply with all regulations provided in the Illinois Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

### Sec. 11-156 Definitions

Cannabis: Any species of the family *Cannabaceae* including but not limited to *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis* used for recreational, medicinal, or industrial purposes. This term shall refer to marijuana, hashish, and other substances that are identified as including any parts of the plant, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction or independently by chemical synthesis or by a combination of extraction and chemical synthesis; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Illinois Industrial Hemp Act. "Cannabis" also means concentrate and cannabis-infused products.

Cannabidiol (CBD): A chemical derived from cannabis that is used primarily for medical purposes. CBD has less pronounced psychoactive effects than THC.

Tetrahydrocannabinol (THC): A chemical derived from cannabis that is used primarily for recreational purposes. THC is the principal psychoactive chemical in cannabis.

Cannabis Business Establishment: An adult-use cannabis cultivation center, consumption business, craft grower, processing organization, infuser organization, dispensing organization, or transporting organization.

Cannabis Craft Grower: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**Cannabis Cultivation Center:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**Cannabis Dispensing Organization:** A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**Packaged Product Dispensing Business:** Any premises where sale of packaged cannabis products is the principal use. Consumption of cannabis at these premises is prohibited.

**On-Site Consumption Dispensing Business:** Any premises wherein cannabis is sold at retail for consumption on the premises as the principal use. Such businesses include but are not limited to cannabis cafes, cannabis smoking lounges, cannabis vaping lounges, and cannabis clubs. These facilities may also engage in packaged cannabis sales.

**Cannabis Infuser Organization or Infuser:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**Cannabis Processing Organization or Processor:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**Transportation Organization or Transporter:** An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act,

(P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Hemp: Otherwise known as “industrial hemp,” this material is made from Cannabis with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis that has been cultivated under a license issued under the Illinois Industrial Hemp Act or is otherwise lawfully present in the State of Illinois, and includes any intermediate or finished product made or derived from industrial hemp. Hemp shall not be subject to this Article.

Retail Tobacco Store: A retail establishment that derives more than 80% of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. "Retail tobacco store" includes an enclosed workplace that manufactures, imports, or distributes tobacco or tobacco products, when, as a necessary and integral part of the process of making, manufacturing, importing, or distributing a tobacco product for the eventual retail sale of that tobacco or tobacco product, tobacco is heated, burned, or smoked, or a lighted tobacco product is tested, provided that the involved business entity: (1) maintains a specially designated area or areas within the workplace for the purpose of the heating, burning, smoking, or lighting activities, and does not create a facility that permits smoking throughout; (2) satisfies the 80% requirement related to gross sales; and (3) delivers tobacco products to consumers, retail establishments, or other wholesale establishments as part of its business. "Retail tobacco store" does not include a tobacco department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license.

### **11-157 Zoning Regulations**

1. Cannabis craft growing facilities and cultivation centers shall be a permitted use in all agricultural and industrial zoning districts.
2. Cannabis infuser organizations, processing organizations, and transportation organizations shall be a permitted use in all industrial zoning districts.
3. Packaged product dispensing businesses shall be a permitted use in all industrial and business zoning districts.
4. On-site consumption dispensing businesses shall be a permitted use in all industrial zoning districts and all business zoning districts except the B-1: Neighborhood Business District.
5. Co-Location of a Dispensing Organization and a Craft Grower Center or an Infuser Organization, or both, shall be permitted. In such case, the floor space requirements of Section 11-158 Subsection 2 shall not apply, but the co-located establishments shall be

the sole use of the tenant space. Such co-located establishments shall be a permitted use in all agricultural and industrial zoning districts.

6. All cannabis business establishments shall be located at least one hundred feet (100') in distance from any residential zoning district.
7. Consumption of cannabis is permitted in Retail Tobacco Stores as defined and regulated by the Smoke Free Illinois Act that qualify for exemption as defined in Section 35 Subsection 2 of said Act and comply with the following.
  - a) Retail Tobacco Stores shall be located in either an industrial zoning district or a business zoning district with the exception of the B-1: Neighborhood Business District.
  - b) The Retail Tobacco Store shall be located at least one hundred feet (100') in distance from any residential zoning district.
  - c) Within the Retail Tobacco Store a designated area or areas for the purpose of consuming cannabis shall be maintained; and such area or areas shall be limited to individuals twenty-one (21) years old or older; and such area or areas shall be secured with a locked door or barrier.

### **11-158 General Regulations**

1. Packaged cannabis sales shall be permitted only at licensed packaged product dispensing businesses. Consumption of cannabis shall be permitted only at licensed on-site consumption businesses or elsewhere as authorized by the Illinois Cannabis Regulation and Tax Act.
2. At least seventy-five percent (75%) of the floor area of any tenant space occupied by a cannabis business establishment shall be devoted to the activities of said business as authorized by the Illinois Cannabis Regulation and Tax Act. A facility may not conduct any sales or distribution of cannabis other than as authorized by the Illinois Cannabis Regulation and Tax Act.
3. Cannabis Business Establishments shall install building enhancements, such as security cameras, lighting or other improvements to ensure the safety of its employees and customers as well as its environs. Said improvements shall be determined based on the specific characteristics of the building floor plan and the site on which it is located and shall be consistent with the requirements of the Illinois Cannabis Regulation and Tax Act.

4. Cannabis Business Establishments shall keep their State issued license and registration documents in a conspicuous location in an area of the business accessible to consumers and/or State and City officials at all times.
5. Cannabis Business Establishments shall immediately produce upon request by City staff the following information.
  - a) Name of the business.
  - b) Names of the business owners.
  - c) Names and mailing addresses of all individuals who have an ownership interest in the business.
  - d) Names and addresses of all other persons who work on the business premises whether employees or independent contractors of the business along with a description of the work performed.
  - e) Government issued photo identification card for all employees or independent contractors of the business to verify and confirm identify of individuals referenced above.
6. All Cannabis Business Establishments and Retail Tobacco Stores in which cannabis is being consumed shall comply with the Illinois Cannabis Regulation and Tax Act as well as the Smoke Free Illinois Act, as ~~it~~ they may be amended from time-to-time, and the regulations therein.

# Zoning Code Update

A Brief Progress Report



# Where We Are Today

- Since the completion of the Sign Ordinance update, staff have been working on the Zoning Ordinance update in house. Slow but steady!
- Sorting through consultant's suggestions and identifying significant items to address.
- Asking members of the Planning Commission and the Board of Zoning Appeals to help provide feedback as informal working group.



# Our Timeline

- Every couple of months, staff will present Council with a progress report.
- As appropriate, staff will present at greater length on specific subjects.
- Planning Commission will hold public hearing in November, then on to the Council in December.
- Goal: updated Code adopted by end of year.

Questions?